

**CITY COUNCIL RESOLUTION NO. 2006-049
CONDITIONS OF APPROVAL - FINAL
TENTATIVE TRACT 34038
CASA LA QUINTA – BORREGO RESORT HOLDINGS, INC.
MAY 2, 2006**

EXHIBIT "A"

GENERAL

1. The applicant agrees to defend, indemnify and hold harmless the City of La Quinta ("City"), its agents, officers and employees from any claim, action or proceeding to attack, set aside, void, or annul the approval of this Tentative Tract Map, or any Final Map recorded thereunder. The City shall have sole discretion in selecting its defense counsel.

The City shall promptly notify the applicant of any claim, action or proceeding and shall cooperate fully in the defense.

2. This Tentative Tract Map, and any Final Map recorded thereunder, shall comply with the requirements and standards of Government Code §§ 66410 through 66499.58 (the "Subdivision Map Act"), and Title 13 of the La Quinta Municipal Code (LQMC).

3. Tentative Tract 34038 shall comply with all applicable conditions and/or mitigation measures for the following related approvals:

- Environmental Assessment 2005-552
- Specific Plan 2005-076
- Village Use Permit 2005-030

In the event of any conflict(s) between approval conditions and/or provisions of these approvals, the Community Development Director shall determine precedence.

4. Prior to the issuance of any grading, construction, or building permit by the City, the applicant shall obtain the necessary clearances and/or permits from the following agencies:

- Fire Marshal
- Public Works Department (Grading Permit, Green Sheet, Public Works Clearance for Building Permits, Improvement Permit)
- La Quinta Community Development Department
- Riverside County Environmental Health Department
- Desert Sands Unified School District
- Coachella Valley Water District (CVWD)

- Imperial Irrigation District (IID)
- California Water Quality Control Board (CWQCB)
- SunLine Transit Agency
- SCAQMD

The applicant is responsible for all requirements of the permits and/or clearances from the above listed agencies. When the requirements include approval of improvement plans, the applicant shall furnish proof of such approvals when submitting those improvement plans for City approval.

A project-specific NPDES construction permit must be obtained by the applicant; and who then shall submit a copy of the Regional Water Quality Control Board's ("RWQCB") acknowledgment of the applicant's Notice of Intent ("NOI"), prior to the issuance of a grading or site construction permit by the City.

4. The applicant shall comply with applicable provisions of the City's NPDES storm water discharge permit, Sections 8.70.010 et seq. (Storm water Management and Discharge Controls), and 13.24.170 (Clean Air/Clean Water), LQMC; Riverside County Ordinance No. 457; and the State Water Resources Control Board's Order No. 99-08-DWQ .

- A. For construction activities including clearing, grading or excavation of land that disturbs one (1) acre or more of land, or that disturbs less than one (1) acre of land, but which is a part of a construction project that encompasses more than one (1) acre of land, the Permittee shall be required to submit a Storm Water Pollution Protection Plan ("SWPPP").

The applicant or design professional can obtain the California Stormwater Quality Association SWPPP template at www.cabmphandbooks.com for use in their SWPPP preparation.

- B. The applicant's SWPPP shall be approved by the City Engineer prior to any on or off-site grading being done in relation to this project.
- C. The applicant shall ensure that the required SWPPP is available for inspection at the project site at all times through and including acceptance of all improvements by the City.

- D. The applicant's SWPPP shall include provisions for all of the following Best Management Practices ("BMPs") (8.70.020 (Definitions), LQMC):
 - 1) Temporary Soil Stabilization (erosion control).
 - 2) Temporary Sediment Control.
 - 3) Wind Erosion Control.
 - 4) Tracking Control.
 - 5) Non-Storm Water Management.
 - 6) Waste Management and Materials Pollution Control.
 - E. All erosion and sediment control BMPs proposed by the applicant shall be approved by the City Engineer prior to any onsite or offsite grading, pursuant to this project.
 - F. The approved SWPPP and BMPs shall remain in effect for the entire duration of project construction until all improvements are completed and accepted by the City.
5. Approval of this Tentative Tract Map shall not be construed as approval for any horizontal dimensions implied by any site plans or exhibits unless specifically identified in the following conditions of approval

PROPERTY RIGHTS

- 6. Prior to issuance of any permit(s), the applicant shall acquire or confer easements and other property rights necessary for the construction or proper functioning of the proposed development. Conferred rights shall include irrevocable offers to dedicate or grant access easements to the City for emergency services and for maintenance, construction and reconstruction of essential improvements.
- 7. The applicant shall offer for dedication on the Final Map all public street right-of-ways in conformance with the City's General Plan, Municipal Code, applicable specific plans, and/or as required by the City Engineer.
- 8. The public street right-of-way offers for dedication required for this development include:

A. PUBLIC STREETS

1. Calle Tampico (Primary Arterial - Option B, 100' ROW) – No additional right of way dedication is required from the standard 50 feet from the Centerline of Calle Tampico for a total of 100-foot ultimate developed right-of-way.
 2. Avenida Villa (west frontage), Avenida Navarro (Local Streets, 60' ROW) – No additional right of way dedication is required from the standard 30 feet from the centerline of the street for a total of 60-foot ultimate developed right-of-way.
 3. Avenida Villa (south frontage); Local Street, 50' ROW) – No additional right of way dedication is required from the standard 30 feet from the centerline of the street for a total of 50-foot ultimate developed right-of-way. An additional 5-foot utility easement shall be established along the property line on Avenida Villa.
9. The applicant shall create perimeter landscaped setbacks along all public rights-of way as follows:
- A. Calle Tampico (Primary Arterial) – 20 feet from right-of-way/property line.
- The setback requirement shall apply to all frontages including, but not limited to, remainder parcels, right-of-way reversions, and sites dedicated for utility purposes.
- Where public facilities (e.g. sidewalks) are placed on privately-owned setbacks, the applicant shall offer for dedication blanket easements for those purposes on the Final Map.
10. The applicant shall offer for dedication those easements necessary for the placement of, and access to, utility lines and structures, drainage basins, mailbox clusters, and common areas on the Final Map.
 11. Direct vehicular access to Calle Tampico, Avenida Villa, and Avenida Navarro from TT 34038 is restricted, except for the entry drive access from Avenida Villa, which shall be shown on the recorded Final Map, along with the other vehicular access restrictions.

12. The applicant shall furnish proof of easements, or written permission, as appropriate, from those owners of all abutting properties on which grading, retaining wall construction, permanent slopes, or other encroachments will occur.
13. The applicant shall cause no easement to be granted, or recorded, over any portion of the subject property between the date of approval of the Tentative Tract Map and the date of recording of any Final Map, unless such easement is approved by the City Engineer.

FINAL MAPS

14. Prior to the City's approval of a Final Map, the applicant shall furnish accurate AutoCAD files of the Final Map that was approved by the City's map checker on a storage media acceptable to the City Engineer. Such files shall be in a standard AutoCAD format so as to be fully retrievable into a basic AutoCAD program.

Where a Final Map was not produced in an AutoCAD format, or produced in a file that can be converted to an AutoCAD format, the City Engineer will accept a raster-image file of such Final Map.

15. A right-of-way vacation process is ongoing with the Public Works Department for a portion of Calle Tampico. Final Plan recordation is contingent upon the City of La Quinta vacating this right-of-way to the applicant.

IMPROVEMENT PLANS

As used throughout these Conditions of Approval, professional titles such as "engineer", "surveyor", and "architect", refer to persons currently certified or licensed to practice their respective professions in the State of California.

16. Improvement plans shall be prepared by or under the direct supervision of qualified engineers and/or architects, as appropriate, and shall comply with the provisions of Section 13.24.040 (Improvement Plans), LQMC.
17. The following improvement plans shall be prepared and submitted for review and approval by the City. A separate set of plans for each line item specified below shall be prepared. The plans shall utilize the minimum scale specified, unless otherwise authorized by the City Engineer in writing. Plans may be

prepared at a larger scale if additional detail or plan clarity is desired. Note: the applicant may be required to prepare other improvement plans not listed here pursuant to improvements required by other agencies and utility purveyors.

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| A. | On-Site Rough Grading Plan: | 1" = 40' Horizontal |
| B. | PM10 Plan: | 1" = 40' Horizontal |
| C. | SWPPP: | 1" = 40' Horizontal |
| D. | On-Site Precise Grading/Storm Drain Plan: | 1" = 30' Horizontal |

Note: Items A through D to be submitted concurrently

Other engineered improvement plans prepared for City approval that are not listed above shall be prepared in formats approved by the City Engineer prior to commencing plan preparation.

"Rough Grading" plans shall normally include perimeter walls with Top Of Wall & Top Of Footing elevations shown. All footings shall have a minimum of 1-foot of cover, or sufficient cover to clear any adjacent obstructions.

The applicant shall prepare an accessibility assessment on a marked up print of the building floor plan identifying every building egress and notes the 2001 California Building Code accessibility requirements associated with each door. The assessment must comply with submittal requirements of the Building & Safety Department. A copy of the reviewed assessment shall be submitted to the Engineering Department in conjunction with the On-Site Precise Grading Plan when it is submitted for plan checking.

On-Site Precise Grading plans shall normally include all on-site surface improvements including but not necessarily limited to finish grades for curbs & gutters, building floor elevations, parking lot improvements and ADA requirements.

18. The City maintains standard plans, detail sheets and/or construction notes for elements of construction. For a fee, established by City Resolution, the applicant may purchase such standard plans, detail sheets and/or construction notes from the City.
19. The applicant shall furnish a complete set of the AutoCAD files of all approved improvement plans on a storage media acceptable to the City Engineer. The files shall be saved in a standard AutoCAD format so they may be fully retrievable through a basic AutoCAD program.

At the completion of construction, and prior to the final acceptance of the improvements by the City, the applicant shall update the AutoCAD files in order to reflect the as-built conditions.

Where the improvement plans were not produced in a standard AutoCAD format, or a file format that can be converted to an AutoCAD format, the City Engineer will accept raster-image files of the plans.

IMPROVEMENT SECURITY AGREEMENTS

20. Prior to the approval of any Final Map, the applicant shall construct all on and off-site improvements and satisfy its obligations for same, or shall furnish a fully secured and executed Subdivision Improvement Agreement ("SIA") guaranteeing the construction of such improvements and the satisfaction of its obligations for same, or shall agree to any combination thereof, as may be required by the City.
21. Any Subdivision Improvement Agreement ("SIA") entered into by and between the applicant and the City of La Quinta, for the purpose of guaranteeing the completion of any improvements related to this Tentative Tract Map, shall comply with the provisions of Chapter 13.28 (Improvement Security), LQMC.
22. Improvements to be made, or agreed to be made, shall include the removal of any existing structures or other obstructions which are not a part of the proposed improvements; and shall provide for the setting of the final survey monumentation.
23. Depending on the timing of the development of this Tentative Tract Map, and the status of the off-site improvements at the time, the applicant may be required to:
 - A. Construct certain off-site improvements.
 - B. Construct additional off-site improvements, subject to the reimbursement of its costs by others.
 - C. Reimburse others for those improvements previously constructed that are considered to be an obligation of this tentative tract map.

D. Secure the costs for future improvements that are to be made by others.

E. To agree to any combination of these means, as the City may require.

In the event that any of the improvements required for this development are constructed by the City, the applicant shall, prior to the approval of the Final Map, or the issuance of any permit related thereto, reimburse the City for the costs of such improvements.

24. The applicant elects to utilize the secured agreement alternative, the applicant shall submit detailed construction cost estimates for all proposed on-site and off-site improvements, including an estimate for the final survey monumentation, for checking and approval by the City Engineer. Such estimates shall conform to the unit cost schedule adopted by City resolution, or ordinance.

For items not listed in the City's unit cost schedule, the proposed unit costs shall be approved by the City Engineer.

At the time the applicant submits its detailed construction cost estimates for conditional approval of the Final Map by the City Council, the applicant shall also submit one copy each of an 8-1/2" x 11" reduction of each page of the Final Map, along with a copy of an 8-1/2" x 11" Vicinity Map.

Estimates for improvements under the jurisdiction of other agencies shall be approved by those agencies and submitted to the City along with the applicant's detailed cost estimates.

Security will not be required for telephone, natural gas, or Cable T.V. improvements.

25. Should the applicant fail to construct the improvements for the development, or fail to satisfy its obligations for the development in a timely manner, the City shall have the right to halt issuance of building permits, and/or final building inspections, withhold other approvals related to the development of the project, or call upon the surety to complete the improvements.

GRADING

26. The applicant shall comply with the provisions of Section 13.24.050 (Grading Improvements), LQMC.

27. Prior to occupancy of the project site for any construction, or other purposes, the applicant shall obtain a grading permit approved by the City Engineer.
28. To obtain an approved grading permit, the applicant shall submit and obtain approval of all of the following:
 - A. A grading plan prepared by a qualified engineer or architect,
 - B. A preliminary geotechnical ("soils") report prepared by a qualified engineer,
 - C. A Fugitive Dust Control Plan prepared in accordance with Chapter 6.16, (Fugitive Dust Control), LQMC.
 - D. A Best Management Practices report prepared in accordance with Sections 8.70.010 and 13.24.170 (NPDES stormwater discharge permit and Storm Management and Discharge Controls), LQMC.

All grading shall conform to the recommendations contained in the Preliminary Soils Report, and shall be certified as being adequate by a soils engineer, or by an engineering geologist.

A statement shall appear on the Final Map that a soils report has been prepared in accordance with the California Health & Safety Code § 17953.

29. The applicant shall furnish security, in a form acceptable to the City, and in an amount sufficient to guarantee compliance with the approved Fugitive Dust Control Plan provisions as submitted with its application for a grading permit.
30. Grading within the perimeter setback and parkway areas shall have undulating terrain and shall conform to the requirements of LQMC Section 9.60.240(F) except as otherwise modified by this condition requirement. The maximum slope shall not exceed 3:1 anywhere in the landscape setback area, except for the backslope (i.e. the slope at the back of the landscape lot) which shall not exceed 2:1 if fully planted with ground cover. The maximum slope in the first six (6) feet adjacent to the curb shall not exceed 4:1 when the nearest edge of sidewalk is within six (6) of the curb, otherwise the maximum slope within the right of way shall not exceed 3:1.

All unpaved parkway areas adjacent to the curb shall be depressed one and one-half inches (1.5") in the first eighteen inches (18") behind the curb.

31. Building pad elevations on the rough grading plan submitted for City Engineer's approval shall conform with pad elevations shown on the tentative map, unless the pad elevations have other requirements imposed elsewhere in these Conditions of Approval.
32. Prior to any site grading or regrading that will raise or lower any portion of the site by more than plus or minus three tenths of a foot from the elevations shown on the approved Tentative Tract Map, the applicant shall submit the proposed grading changes to the City Staff for a substantial conformance finding review.
33. Prior to the issuance of a building permit for any building lot, the applicant shall provide a lot pad certification stamped and signed by a qualified engineer or surveyor.

Each pad certification shall list the pad elevation as shown on the approved grading plan, the actual pad elevation and the difference between the two, if any. Such pad certification shall also list the relative compaction of the pad soil. The data shall be organized by lot number, and listed cumulatively if submitted at different times.

34. This development shall comply with Chapter 8.11 (Flood Hazard Regulations), LQMC. If any portion of any proposed building lot in the development is or may be located within a flood hazard area as identified on the City's Flood Insurance Rate Maps, the development shall be graded to ensure that all floors and exterior fill (at the foundation) are above the level of the project (100-year) flood and building pads are compacted to 95% Proctor Density as required in Title 44 of the Code of Federal Regulations, Section 65.5(a) (6). Prior to issuance of building permits for lots which are so located, the applicant shall furnish elevation certifications, as required by FEMA, that the above conditions have been met.

DRAINAGE

35. Stormwater handling shall conform with the approved hydrology and drainage report for this Tentative Tract Map. The applicant shall comply with the provisions of Section 13.24.120 (Drainage), LQMC, Engineering Bulletin No. 97.03 and Public Works Department Underground Retention Basin Design Requirements submitted July 16, 2005 and revised November 17, 2005, as applicable.

On-site nuisance water shall be transported through underground drainage facilities to the existing 2.5' high by 10' wide double reinforced concrete box along the south side of Calle Tampico and as approved by the City Engineer.

36. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route.
37. As preliminary exploratory soils borings indicate no percolation for existing soils, the percolation rate will be considered to be zero.
38. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development.

UTILITIES

39. The applicant shall comply with the provisions of Section 13.24.110 (Utilities), LQMC.
40. The applicant shall obtain the approval of the City Engineer for the location of all utility lines within any right-of-way, and all above-ground utility structures including, but not limited to, traffic signal cabinets, electric vaults, water valves, and telephone stands, to ensure optimum placement for practical and aesthetic purposes.
41. All proposed utilities shall be installed underground. Underground utilities shall be installed prior to overlying hardscape. For installation of utilities in existing improved streets, the applicant shall comply with trench restoration requirements maintained, or required by the City Engineer.

The applicant shall provide certified reports of all utility trench compaction for approval by the City Engineer.

42. Underground utilities shall be installed prior to overlying hardscape. For installation of utilities in existing improved streets, the applicant shall comply with trench restoration requirements maintained, or required by the City Engineer.

The applicant shall provide certified reports of all utility trench compaction for approval by the City Engineer.

STREET AND TRAFFIC IMPROVEMENTS

43. The applicant shall comply with the provisions of Sections 13.24.060 (Street Improvements), 13.24.070 (Street Design - Generally) & 13.24.100 (Access For Individual Properties And Development), LQMC for public streets; and Section 13.24.080 (Street Design - Private Streets), where private streets are proposed.

44. The applicant shall construct the following street improvements to conform with the General Plan (street type noted in parentheses):

A. OFF-SITE STREETS

- 1) Calle Tampico (Primary Arterial – Option B; 100' R/W):

- a) No additional widening on the south side of the street along all frontage adjacent to the Tentative Map boundary.

- 2). Avenida Villa (along west project boundary) (Local Street, 60' ROW):

- a) No additional widening on the east side of Avenida Villa along all frontage adjacent to the Tentative Map boundary.

Other required improvements in the Avenida Villa right of way and/or adjacent landscape setback area include:

- b) A minimum 6-foot wide sidewalk along the existing back of curb.

- 3). Avenida Navarro (Local Street, 60' ROW):

- a) No additional widening on the west side of the street along all frontage adjacent to the Tentative Map boundary.

Other required improvements in the Avenida Navarro right of way and/or adjacent landscape setback area include:

- b) A minimum 6-foot wide sidewalk along the existing back of curb.
- c) Curb ramp and intersection curb return per City of La Quinta standards.
- d) Curb ramp, curb and curb return at the southerly boundary of the adjacent office building as approved by the City Engineer.

4). Avenida Villa (along the southerly boundary) (Local Street, 50' ROW):

- a) No additional widening on the north side of the street along all frontage adjacent to the Tentative Map boundary.

Other required improvements in the Avenida Villa right of way and/or adjacent landscape setback area include:

- b) A minimum 6-foot wide sidewalk along the existing back of curb.
- c) Curb ramp and intersection curb return per City of La Quinta standards.

The applicant shall extend improvements beyond the development boundaries to ensure they safely integrate with existing improvements (e.g., grading; traffic control devices and transitions in alignment, elevation or dimensions of streets and sidewalks).

- 45. The proposed gated entry to the below ground parking garage shall be designed to have guest parking access via a pedestrian call box method to alleviate stacking at the gated entry and backing out onto Avenida Villa due to refusal, as approved by the City Engineer. Additionally, the applicant shall apply for a 2-car Loading/Stopping Zone on Avenida Villa for temporary parking of visitor's vehicles to comply with the aforementioned pedestrian call box access entry.

The applicant shall design the gate speed for rapid entry of the visitors and residents. Resident access shall be via transponder actuation to alleviate stacking at the gated entry. Operation and maintenance of the gated entry shall be incorporated into the project CC&R's.

46. The applicant shall submit current mix designs (less than two years old at the time of construction) for base, asphalt concrete and Portland cement concrete. The submittal shall include test results for all specimens used in the mix design procedure. For mix designs over six months old, the submittal shall include recent (less than six months old at the time of construction) aggregate gradation test results confirming that design gradations can be achieved in current production. The applicant shall not schedule construction operations until mix designs are approved.
47. General access points and turning movements of traffic are limited to the following:
 - A. Primary Entry (Avenida Villa along westerly property boundary) - All turn movements are permitted.
48. Improvements shall include appurtenances such as traffic control signs, markings and other devices, raised medians if required, street name signs and sidewalks.
49. Improvements shall be designed and constructed in accordance with City adopted standards, supplemental drawings and specifications, or as approved by the City Engineer. Improvement plans for streets, access gates and parking areas shall be stamped and signed by qualified engineers.

PARKING LOTS AND ACCESS DRIVEWAY

50. The design of parking facilities shall conform to LQMC Chapter 9.150 (Parking), except where the approved plans and/or these conditions shall take precedence. All designs shall comply with the latest ADA standards and policies.
51. The high point of the access driveway to the parking garage shall be at least one foot higher than the gutter flow line at the street.

52. Grade breaks and vertical curves at the access driveway to the parking garage shall be designed to standards as may be approved by the Public Works and Community Development Directors. The final design shall place the parking level at 4 to 5 feet below grade.

CONSTRUCTION

53. The City will conduct final inspections of habitable buildings only when the buildings have improved street and (if required) sidewalk access to publicly-maintained streets.

PUBLIC SERVICES

54. The applicant shall comply with all applicable requirements of the Riverside County Fire Department, as set forth under approval conditions for VUP 2005-030. Any additional requirements not addressed therein shall also be met.

QUALITY ASSURANCE

55. The applicant shall employ construction quality-assurance measures that meet with the approval of the City Engineer.
56. The applicant shall employ, or retain, qualified engineers, surveyors, and such other appropriate professionals as are required to provide the expertise with which to prepare and sign accurate record drawings, and to provide adequate construction supervision.
57. The applicant shall arrange for, and bear the cost of, all measurements, sampling and testing procedures not included in the City's inspection program, but which may be required by the City, as evidence that the construction materials and methods employed comply with the plans, specifications and other applicable regulations.
58. Upon completion of construction, the applicant shall furnish the City with reproducible record drawings of all improvement plans that were approved by the City. Each sheet shall be clearly marked "Record Drawing," "As-Built" or "As-Constructed" and shall be stamped and signed by the engineer or surveyor certifying to the accuracy and completeness of the drawings. The applicant shall have all AutoCAD or raster-image files previously submitted to the City, revised to reflect the as-built conditions.

MAINTENANCE

59. The applicant shall comply with the provisions of Section 13.24.160 (Maintenance), LQMC. Applicant shall submit CC&R's for the project for review by Public Works and Community Development, prior to their recordation.
60. The applicant shall make provisions for the continuous and perpetual maintenance of all private on-site improvements, perimeter landscaping, access drives, and sidewalks, which shall be reflected in the tract CC&R's.

FEES AND DEPOSITS

61. The applicant shall comply with the provisions of Section 13.24.180 (Fees and Deposits), LQMC. These fees include all deposits and fees required by the City for plan checking and construction inspection. Deposits and fee amounts shall be those in effect when the applicant makes application for plan check and permits.
62. Permits issued under this approval shall be subject to the provisions of the Infrastructure Fee Program and Development Impact Fee program, as in effect at the time of issuance of building permit(s).
63. Prior to completion of any approval process for modification of boundaries of the property or lots subject to these conditions, the applicant shall process a reapportionment of any bonded assessment(s) against the property and pay the cost of such reapportionment.
64. Tentative Tract 34038 shall provide payment of an in-lieu park dedication fee, as specified in Chapter 13.48, LQMC. Based on the requirements of Section 13.48.050 LQMC, the amount of park land required is 0.168 acres. The fee amount will be determined when the appropriate land value information is submitted. The in-lieu payment(s) shall be based upon this acreage requirement. Payment of the in-lieu fee shall be made no later than prior to, or concurrently with, recordation of the first final map within the Tentative Map.

CULTURAL RESOURCES

65. The site shall be monitored during on and off-site trenching and rough grading by qualified archaeological monitors. Proof of retention of monitors shall be given to the City prior to issuance of first earth-moving or clearing permit.
66. The final report on the monitoring shall be submitted to the Community Development Department prior to the issuance of the first Certificate of Occupancy for the project.
67. Collected archaeological resources shall be properly packaged for long term curation, in polyethylene self-seal bags, vials, or film cans as appropriate, all within acid-free, standard size, comprehensively labeled archive boxes and delivered to the City prior to issuance of first Certificate of Occupancy for the property. As part of the collection process, the recording and reburial of artifacts shall be evaluated in consultation with Tribal organizations. This shall include the return of artifacts to the involved Tribe(s), for potential reburial at the location of discovery of the artifact, after completion of the project earthwork.

Materials shall be accompanied by descriptive catalogue, field notes and records, primary research data, and the original graphics.

68. The conditions of approval for this item shall be included in the submitted report, "A Cultural Resources Survey of the Proposed Casa La Quinta Project, Riverside County, California", prepared by Foothill Archaeological Services, prior to issuance of first permit requiring monitoring.
69. Pursuant to their request, the monitoring crew shall include a member of the Ramona Band of Cahuilla Indians, if requested by the Ramona Band in writing.
70. If Native American cultural resources are discovered during monitoring or the subsequent construction phase, the Morongo Band of Mission Indians, Ramona Band of Cahuilla Indians and the Agua Caliente Band of Cahuilla Indians, shall each be notified and allowed to consult on the discovery and its disposition.

PALEONTOLOGICAL RESOURCES

71. Prior to groundbreaking, a field survey shall be conducted by the applicant in order to identify and document potential surface fossiliferous resources. A report of findings from the field survey shall be transmitted to Community Development Department and shall be provided to site monitors prior to beginning of any earth-moving.
72. On and off-site monitoring of earth-moving and grading in areas identified as likely to contain paleontological resources shall be conducted by a qualified paleontological monitor. The monitor shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Proof that a monitor has been retained shall be given to City prior to issuance of first earth-moving permit, or before any clearing of the site is begun.
73. Recovered specimens shall be prepared to the point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.
74. A report of findings with an appended itemized inventory of specimens shall be submitted to the City prior to the first occupancy of a residence being granted by the City. The report shall include pertinent discussions of the significance of all recovered resources where appropriate. The report and inventory, when submitted will signify completion of the program to mitigate impacts to paleontological resources.
75. Collected resources and related reports, etc. shall be given to the City for curation. Packaging of resources, reports, etc. shall comply with standards commonly used in the paleontological industry.

LANDSCAPING

76. The applicant shall comply with Sections 13.24.130 (Landscaping Setbacks) & 13.24.140 (Landscaping Plans), LQMC.

77. Landscape areas shall have permanent irrigation improvements meeting the requirements of the City Engineer. Use of lawn areas shall be minimized with no lawn, or spray irrigation, being placed within 18 inches of curbs along public streets.
78. The applicant shall submit all landscape plans, to include landscape lighting, for approval through plan checking by the Public Works Department. Community Development Department review will take place during this plan check process. When plan checking has been completed by the both Departments, the applicant shall obtain the signatures of CVWD and the Riverside County Agricultural Commissioner, prior to submittal for signature by the City Engineer. Prior to CVWD review, the applicant shall provide calculations that meet the requirements of Chapter 8.13 of the Municipal Code - Water Efficient Landscaping. Additional landscape conditions under VUP 2005-030 are hereby incorporated by reference.

NOTE: Plans are not approved for construction until signed by the City Engineer. All landscape and irrigation plans shall be signed and stamped by a licensed landscape architect.